# **Towns County Herald**

## Legal Notices for March 19, 2014

### NOTICE TO DEBTORS AND CREDITORS STATE OF GEORGIA COUNTY OF TOWNS RE: Estate of Wallace M. Buchanan

All creditors of the estate of Wallace M. Buchanan, deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned. This the 27th day of January 2014

Mary Marcus 2422 Buchanan Road Young Harris, GA 706-379-3810 T(Mar5,12,19,26)B

#### NOTICE TO DEBTORS AND CREDITORS STATE OF GEORGIA COUNTY OF TOWNS

COUNTY OF TUWNS RE: Estate of: Joan C. Fleury All creditors of the estate of Joan C. Fleury, deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are re-quired to make immediate payment to the

undersigned. This the 3rd day of March, 2014 Russell M. Stookey, Attorney at Law Personal Representative P.O. Box 310 Hiawassee, GA 30546 706-896-2241 T(Mar12,19,26,Apr2)F

#### NOTICE TO DEBTORS AND CREDITORS STATE OF GEORGIA COUNTY OF TOWNS

RE: Estate of: Donald R. Fleury All creditors of the estate of Donald R. Fleury, deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned. This the 3rd day of March, 2014

Russell M. Stookey, Attorney at Law Personal Representative P.O. Box 310 Hiawassee, GA 30546

706-896-2241 T(Mar12, 19, 26, Apr2)F

#### NOTICE STATE OF GEORGIA

COUNTY OF TOWNS COUNTY OF TOWNS Notice is hereby given that the business operated at 8350 lvy Log Gap Road, Young Harris, Georgia, 30582, in the trade name of Mountain Rokon, is owned and carried on by Anz Investments, LLC, whose address is 8350 lvy Log Gap Road, Young Harris, Georgia, 30582, and the statement relating thereto required by Official Code of Georgia 10-1-490 has been filed with the Clerk of Superior Court of Towns County, Georgia.

Ansley E. Lambert Registered Agent 8350 Ivy Log Gap Road Young Harris, GA 30582 T(Mar19,26)P

#### NOTICE OF INTENT TO INCORPORATE

Notice is given that the Articles of Incor-poration which will incorporate TOWNS COUNTY DIAMOND CLUB, INC., 2702 Hi Top Road, Hiawassee, Georgia 30546, has been delivered to the Secretary of State for filing in accordance with the applicable provi-sions of the Georgia Nonprofit Corporation Code. The initial registered office of the corporation will be located at 2702 Hi Top Road, Hiawassee, Towns County, Georgia 30546, and its initial registered agent at such address is Jackie Taylor.

## NOTICE OF SALE UNDER POWER

STATE OF GEORGIA COUNTY OF TOWNS Because of a default in the payment of the indebtedness secured by a Security Deed executed by Robert Panaccione and Pa-tricia Panaccione to Mortgage Electronic Registration Systems, Inc. as nominee for Americas First Home Mortgage Co. dated June 23, 2006, and recorded in Deed Book 375, Page 806, Towns County Records, said Security Deed having been last sold, as-signed, transferred and conveyed to Wells Fargo Bank, N.A. by Assignment, securing a Note in the original principal amount of \$145,000.00, the holder thereof pursuant to said Deed and Note thereby secured has declared the entire amount of said indebt-edness due and payable and, pursuant to the power of sale contained in said Deed, will on the first Tuesday, April 1, 2014, during the legal hours of sale, before the Courthouse door in said County, sell at pub-lic outcry to the highest bidder for cash, the property described in said Deed, to-wit:

property described in said Deed, to-wit: All that tract or parcel of land lying and be-ing in Land Lot 47, 17th District, 1st Sec-tion, Towns County, Georgia, containing 1.074 acres, more or less, and being shown as Lot 7 of Ragayle Village Subdivision on a plat of survey prepared by Tamrok Asso-ciates, Inc., dated 2/15/01 and recorded in Plat Book 28, Page 41, Towns County, Geor-gia records, said plat being incorporated herein by reference for a more complete herein by reference for a more complete description of said property. Grantor grants to Grantee a non-exclusive

perpetual easement for the use of the sub-division roads for ingress and egress to the

above described property. Subject to the Declaration of Protective Covenants as recorded in Deed Book 224, Page 708-713 and Deed Book 227, Page 486-491, Towns County, Georgia records. Subject to an easement to Blue Ridge Mountain EMC as recorded in Deed Book 213, Page 564, Towns County, Georgia re-

cords. Subject to easements and other matters of survey as shown on the above referenced

plat. Subject to an easement and Joint Driveway Agreement as recorded in Deed Book 354, Page 514, towns County, Georgia records and in Nat Book 35, page 152, Towns Coun-

ty, Georgia records. Subject to a right of way deed as recorded in Deed book T-1, page 250, Towns County, Georgia records.

Georgia records. Said property is known as 1514 Millennium Drive, Young Harris, GA 30582, together with all fixtures and personal property at-tached to and constituting a part of said property, if any. Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, whether or not now due and navable) the right of redemntion

due and payable), the right of redemption of any taxing authority, any matters which might be disclosed by an accurate survey and inspection of the property, any as-sessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above. The proceeds of said sale will be applied to

the payment of said indebtedness and all expenses of said sale as provided in said Deed, and the balance, if any, will be dis-

tributed as provided by law. The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the secured creditor.

The property is or may be in the possession of Robert Panaccione and Patricia Panac-cione, successor in interest or tenant(s). Wells Fargo Bank, N.A. as Attorney-in-Fact for Robert Panaccione and Patricia Panac-

cione File no. 13-044823 SHAPIRO, SWERTFEGER & HASTY, LLP\* Attorneys and Counselors at Law 2872 Woodcock Blvd., Suite 100 Attanta, 6A 30341-3941 (770) 220-2535/KMM (170) 220-2353, MILL www.swertegger.net \*THE LAW FIRM IS ACTING AS A DEBT COL-LECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

NOTICE OF SALE UNDER POWER STATE OF GEORGIA, COUNTY OF TOWNS Under and by virtue of the Power of Sale contained in a Deed to Secure Debt given by LESTER E PATRICK AND RITA M PAT-RICK AND RITA PATRICK to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE FOR EIRST OHIO ("MERS") AS NOMINEE FOR FIRST OHIO BANC & LENDING, INC, , dated 02/13/2010, and Recorded on 03/08/2010 as Book No. 470 and Page No. 755, TOWNS County, Georgia records, as last assigned to BANK OF AMERICA, N.A., SUCCESSOR BY MERGER OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP (the Secured Creditor), by assignment, conveying the after-described property to secure a Note of even date in the original principal amount of \$263,125.00, with in-terset at the rate conselled therein there terest at the rate specified therein, there will be sold by the undersigned at public outery to the highest bidder for cash at the TOWNS County Courte house within the legal hours of sale on the first Tuesday in April, 2014, the following described property: THE REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF TOWNS, STATE OF GEOR-GIA, AND IS DESCRIBED AS FOLLOWS:

ALL THAT TRACT OR PARCEL OF LAND, SIT-UATE, LYING AND BEING IN SECTION 1, DIS-TRICT 18, LAND LOTS 297 AND 310, TOWNS COUNTY, GEORGIA, AND BEING LOT TWELVE (12), CONSISTING OF 1.015 ACRES, MORE OR LESS, OF VALLEY VIEW ESTATES AS MORE FULLY SHOWN ON SURVEY FOR VALLEY VIEW FOLLY SHOWN ON SURVEY FOR VALUE VIEW ESTATES, PREPARED BY NORTHSTAR LAND SURVEYING, INC., REGISTERED SURVEY, DATED JULY 1, 2002, REVISED SEPTEMBER 26, 2002 AND RECORDED IN PLAT BOOK 30 PAGE 70 OF THE TOWNS COUNTY RECORDS PUBLIC JUNEY IC NOOPOOLITY RECORDS WHICH SURVEY IS INCCOPORATED HEREIN BY REFERENCE FOR A COMPLETE DESCRIP-TION OF SAID PROPERTY.

THE PROPERTY IS CONVEYED TOGETHER WITH AND SUBJECT TO THE DRIVEWAY EASEMENT AND RIGHT OF WAY OF MAUL-

DIN CIRCLE AS MORE FULLY SHOWN ON SAID REFERENCED SURVEY. THE PROPERTY IS CONVEYED SUBJECT TO THE RESTRICTIVE CONVENANTS FOR VALLEY VIEW ESTATES AS RECORDED IN DEED BOOK 279 PAGES 176-177 OF TOWNS COUNTY RECORDS AND SUBJECT TO PRO-COUNTY RECORDS AND SUBJECT TO PRO-VISIONS AS SHOWN ON SAID REFERENCED SURVEY.

SURVEY. THE PROPERTY IS CONVEYED SUBJECT TO THE BLUE RIDGE MOUNTAIN EMC AS RECORDED IN DEED BOOK 252, PAGE 219 AND DEED BOOK 252, PAGE 217 OF TOWNS COUNTY BEFORDS

AND DEED BOOK 252, PAGE 217 OF TOWNS COUNTY RECORDS. COMMONLY KNOWN AS 5794 MAULDIN CIRCLE, HIAWESSEE, GA 30546 HOWEVER, BY SHOWING THIS ADDRESS NO ADDITIONAL COVERAGE IS PROVIDED BEING KNOWN AS PARCEL NUMBER 62112. The debt secured by said Deed to Secure Debt has been and is hereby declared due because of among other possible events because of, among other possible events of default, failure to pay the indebtedness as and when due and in the manner provided in the Note and Deed to Secure Debt. Because the debt remains in default, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in the Deed to Secure Debt and by law, including attorney's fees (notice of intent to collect attorney's fees having been given). BANK OF AMERICA, N.A., SUC-CESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP holds the duly en-dorsed Note and is the current assignee of the Security Deed to the property. BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, acting on behalf of and, as necessary, in consul-tation with BANK OF AMERICA, N.A., SUC-CESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP (the current inves-tor on the loan), is the entity with the full suthority to negotize amend and modify authority to negotiate, amend, and modify all terms of the Ioan. Pursuant to 0.C.G.A. § 44-14-162.2, BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP may be contacted at: BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP DTX-C32 7105 CORPORATE DIANO LP, PTX-C-32, 7105 CORPORTE, PLANO, TX 75024, 800-669-6650. Please note that, pursuant to 0.C.G.A. § 44-14-162.2, the secured creditor is not required to amend or modify the terms of the loan. To the best knowledge and belief of the undersigned, the party/parties in possession of the subject property known as 5794 MAUDIN CIRCLE, HAWASSEE, GEORGIA 30546 is/are: LESTER E PATRICK or tenant/tenants. Said property will be sold cubiect to (a) any ort-AND RITA PATRICK or tenant/tenants. Said property will be sold subject to (a) any out-standing ad valorem taxes (including taxes which are a lien, but not yet due and pay-able), (b) any matters which might be dis-closed by an accurate survey and inspec-tion of the property, and (c) all matters of record superior to the Deed to Secure Debt first set out above, including, but not lim-ited to. assessments. liens. encumbrances. ited to, assessments, liens, encu zoning ordinances, easements, restrictions nts, etc. The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankrunter Code; and (2) final confirmation and audit of the status of the loan with the holder of the security deed. Pursuant to O.C.G.A. Section 9-13-172.1, which allows for cer-tain procedures regarding the rescission of judicial and nonjudicial sales in the State of Georgia, the Deed Under Power and other foreclosure documents may not be provided until final confirmation and audit of the status of the loan as provided in the prece paragraph. BANK OF AMERICA, N.A., Ń.A., SUC CESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING LP as Attorney in Fact for LESTER E PATRICK AND RITA M PATRICK AND RITA PATRICK. THIS LAW FIRM IS ACT-ING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OB-TAINED WILL BE USED FOR THAT PURPOSE. 00000004164380 BARRETT DAFFIN FRAP-PIER LEVINE & BLOCK, LLP 15000 Surveyor ard Addison, Texas 75001 Teleph (972) 341-5398. T(Mar5.12.19.26)B

NOTICE OF SALE UNDER POWER IN SECURITY DEED STATE OF GEORGIA

STATE OF GEORGIA COUNTY OF TOWNS Under and by virtue of the Power of Sale contained in the Deed to Secure Debt from Andrew Earl Dann Jr. and Barbara B. Dann to Bank of Hiawassee, dated April 19, 2007, and recorded in Deed Book 403, Page 204, in the offices of the Clerk of the Supe-rior Court of Towns County, Georgia; as last modified by Modification of Security Deed modified by Modification of Security Deed dated September 1, 2011 and recorded in Deed Book 499, Page 833, aforesaid re-cords; as assigned to Citizens South Bank by that certain Master Assignment record-ed in Deed Book 486, Page 790, aforesaid records (as same may have been further records (as same may have been further modified from time to time, collectively the "Security Deed"), the undersigned will sell at public outcry to the highest and best bid-der for cash before the door of the Court-house of Towns County, Georgia, during the logal hours of sale on the first Turactay in legal hours of sale, on the first Tuesday in April, 2014, the following described real property, to wit:

Property, to wit: TRACT ONE (1) – ALL THAT TRACT OR PARCEL OF LAND TOGETHER WITH ALL IM-PROVEMENTS THEREON, LYING AND BEING IN LAND LOTS 67 AND 68, 17TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 14.52 ACRES, MORE OR LESS, AS SHOWN ON A PLAT OF SAID PROPERTY DATED AUGUST 8, 1980 BY R.N. JOHNSON & ASSOCIATES, INC., AND ENTITLED "PLAT OF BOUNDARY SURVEY MADE FOR VAN A. & DOROTHY M. SMITH" AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO SAID PLAT AS FOLLOWS:

SAID PLAT AS FOLLOWS: BEGINNING AT A ROCK LOCATED ON OR NEAR THE CENTERLINE OF A CREEK AND ALSO LOCATED ON THE BOUNDARY LINE SEPARATING THIS TRACT FROM A TRACT OF LAND NOW OR FORMERLY OWNED BY R.C. AND CARDING AL BURY THEMECE EROM LAND NOW OR FORMERLY OWNED BY R.C. AND CAROLYN C. ALBURY. THENCE FROM SAID BEGINNING POINT SOUTH 03 DEGREES 30 MINUTES EAST 1,129.93 FEET TO A TEN INCHT PINE, THENCE NORTH 64 DEGREES 53 MINUTES WEST 389.76 FEET TO A MARKED DOUBLE MOUNTAIN OAK TREE; THENCE NORTH 00 DEGREES 05 MINUTES EAST 770.60 FEET ALONG THE U.S. GOVERNMENT LINE TO A ROCK; THENCE ALONG SAID U.S. GOVERNMENT LINE SOUTH 89 DEGREES 52 MINUTES WEST 542.20 FEET TO A STAKE; MINUTES WEST 542.20 FEET TO A STAKE; THENCE NORTH 19 DEGREES 06 MINUTES EAST 779.0 FEET TO AN IRON PIN; THENCE SOUTH 46 DEGREES 30 MINUTES EAST 787.03 FEET TO A ROCK WHICH IS THE BE-GINNING POINT.

GINNING POINI. THIS BEING THE SAME PROPERTY AND ALL OF THE PROPERTY AS DESCRIBED IN A WARRANTY DEED FROM STANLEY E. GUS-TIN TO DESAUSSURE BULL DATED OCTOBER 29, 1979 AND RECORDED IN DEED BOOK 66, DATE OF OF THE TOWNE COUNTY OFFORM PAGE 252 OF THE TOWNS COUNTY, GEORGIA

RECORDS. THE ABOVE PROPERTY IS CONVEYED SUB-

THE ABOVE PROPERTY IS CONVEYED SUB-JECT TO THE EASEMENT TO THE BLUE RIDGE MOUNTAIN EMC AS RECORDED IN DEED BOOK 199, PAGE 562 OF THE TOWNS COUNTY, GEORGIA RECORDS. TRACT TWO (2) – ALL THAT TRACT OR PAR-CEL OF LAND LYING AND BEING IN LAND LOTS 41 AND 68, 17TH DISTRICT, 1ST SEC-TION, TOWNS COUNTY, GEORGIA, AND BEING LOT 5 OF THE TRUELOVE MOUNTAIN SUBDI-VISION AND CONTAINING 5.1 ACRES, MORE DR LESS AND BEING MORE PARTICIL OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DESCRIBED AS FOLLOWS: BEGINNING AT A STAKE LOCATED ON THE SOUTHEASTERN CORNER OF SAID LOT AT THE LINE OF U.S. FOREST PROPERTY; THENCE N 19 E 640 FEET TO A POINT, THENCE S 15 W 645 FEET TO A POINT ON THE LINE OF THE U.S. FOREST PROPERTY; THENCE FOL-LOWING SAID LINE S 94 2E 345 FEET TO THE POINT OF BEGINNING. SAID LAND IS CONVEYED SUBJECT TO RESTRICTIONS OF RECORD AS RECORDED IN DEED BOOK 52.

CONVEYED SUBJECT TO RESTRICTIONS OF RECORD AS RECORDED IN DEED BOOK 52, PAGES 375-376 OF THE TOWNS COUNTY, GEORGIA RECORDS. GRANTOR GRANTS TO GRANTEE HEREIN A PERPETUAL EASEMENT OF INGRESS AND EGRESS ALONG A PRESENTLY EXISTING DIRT ROAD TO A PAVED ROAD LOCATED NORTH OF SAID LOT. SAID PROPERTY BEING MORE PARTICU-LARLY DESCRIBED ON A PLAT OF SURVEY BY B. GREGORY, COUNTY SURVEYOR, DATED DULY 7, 1974 AND RECORDED IN PLAT BOOK 3, PAGE 107 OF THE TOWNS COUNTY, GEOR-GIA RECORDS.

THE ABOVE DESCRIBED PROPERTY IS CON-VEVED SUBJECT TO THE EASEMENT FOR WATER RIGHTS TO THE SPRING AS SET FORTH IN DEED BOOK 247, PAGE 98 OF THE TOWNS COUNTY, GEORGIA RECORDS. THE ABOVE PROPERTY IS CONVEYED SUB-THE ABOVE DEPENDENT TO THE DURY

JECT TO THE EASEMENT TO THE BLUE RIDGE MOUNTAIN EMC AS RECORDED IN DEED BOOK 199, PAGE 562 OF THE TOWNS

DEED BUOK 199, PAGE DOZ OF THE TOWNS COUNTY, GEORGIA RECORDS. LESS AND EXCEPT FROM TRACT TWO (2) IS THE 1.547 ACRES, MORE OR LESS, AS SHOWN ON A SURVEY IN PLAT BOOK 27, PAGE 284 THAT WAS DEEDED TO LARRY C.

NOTICE OF FORECLOSURE

AND OF THE POWER TOWNS COUNTY, GEORGIA THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. Under and by virtue of the Power of Sale

Contained in a Security Deed given by Bruce King to Mortgage Electronic Regis-tration Systems, Inc. as nominee for Mort-gage Research Center, LLC dba Veterans, United Home Loans, dated August 30, 2013, and recorded in Deed Book 540, Page 57, Teuren County, Coercing, Benerate, as her Towns County, Georgia Records, as last transferred to Mortgage Research Center, LLC dba Veterans United Home Loans by assignment to be recorded in the Office of the Clerk of Superior Court of Towns County, Georgia Records conveying the after-described property to secure a Note in the original principal amount of One Hundred Fifty Thousand and 0/100 dollars (\$150,000.00), with interest thereon as set forth therein, there will be sold at public outcry to the highest bidder for cash before

outcry to the highest bidder for cash before the courthouse door of Towns County, Geor-gia, within the legal hours of sale on April 1, 2014, the following described property: All that tract or parcel of land lying and be-ing in Land Lot 145, 18th District, 1st Sec-tion, Towns County, Georgia, being shown as Tract 1, containing 4.81 acres on plat of survey prepared by Appalachian Surveying Company, Inc., dated January 25, 2007 and filed and recorded in Plat Book 29, Page 271, Towns County, Georgia, Records, which plat is incorporated herein by reference. Also conveyed herewith is the 20 foot right

Also conveyed herewith is the 20 foot right of way to reach the above described prop-erty as described in a warranty deed from Earl Arrowood to Charles N. Petty or Zelma D. Petty dated August 25, 1972 and filed and recorded in the Towns County, Georgia

Records on September 2, 1972. This being a portion of the same property conveyed in a warranty deed from Earl Arrowood to Charles N. Petty or Zelma D. Petty dated August 25, 1972 and filed and recorded in the Towns County, Georgia Re-cords on Sentember 2, 1072.

cords on September 2, 1972. The debt secured by said Security Deed has been and is hereby declared due because of, among other possible events of default, failure to pay the indebtedness as and when due and in the manner provided in the Note and Security Deed. The debt re-maining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in Secu-rity Deed and by law, including attorney's fees (notice of intent to collect attorney's

fees having been given). Your mortgage servicer can be contacted at 877-909-9416 - Loss Mitigation Dept, or by writing to c/o Central Loan Administration & Reporting, 425 Phillips Blvd, Ewing, New Jersey 08628, to discuss possible alterna-

Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), any matters which might be disclosed by an accurate survey and in-spection of the property any accessments spection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set

To the best knowledge and belief of the undersigned, the party in possession of the property is Bruce King or tenant(s); and said property is more commonly known as 1227 Garland Drive, Hiawassee, 6A 30546. The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankemuty, Code (2) final under the U.S. Bankruptcy Code (2) final confirmation and audit of the status of the loan with the holder of the security deed

and (3) any right of redemption or other lien not extinguished by foreclosure. Mortgage Research Center, LLC d/b/a Vet-erans United Home Loans as Attorney in Fact for Bruce King. Brock & Scott, PLLC (360 Chambles Dumwoody Road

4360 Chamblee Dunwoody Road Suite 310 Atlanta, GA 30341 404-789-2661 B&S file no.: 14-03816

T(Mar5,12,19,26)B

CRAIG ON JULY 17, 2002 AS RECORDED IN DEED BOOK 247, PAGE 98 OF THE TOWNS COUNTY, GEORGIA RECORDS. PROPERTY KNOWN AS: 925 DANN ROAD,

YOUNG HARRIS, TOWNS COUNTY, GEORGIA 30582-2091. The debt secured by the Security Deed is

evidenced by a Renewal Promissory Note, dated September 1, 2011, from Andrew E. Dann Jr. and Barbara B. Dann to Citizens South Bank in the original principal amount of \$494,635.91 (as same may have been further modified, renewed or amended, collectively the "Note"); plus interest from date on the unpaid balance until paid, and other indebtedness.

Default has occurred and continues under the terms of the Note and Security Deed by reason of, among other possible events of default, the nonpayment when due of the indebtedness evidenced by the Note and secured by the Security Deed and the failure to comply with the terms and con-ditions of the Note and Security Deed. By reason of this default, the Security Deed has been declared foreclosable according to its terms

The above-described real property will be sold to the highest and best bidder for cash as the property of Andrew E. Dann Jr. and Barbara B. Dann, the proceeds to be applied to the payment of said indebtedness, attorneys' fees, and the lawful expenses of said sale, all as provided in the Note and Security Deed. The sale shall be subject to the following: all outstanding ad valore taxes and/or assessments, if any; possible redemptive rights of the Internal Revenue Service, if any; and all prior assessments, easements, restrictions or matters of record.

To the best of the undersigned's knowledge and belief, the real property is presently owned by Andrew Earl Dann Jr. and Barbara B. Dann. To the best of the undersigned's knowledge

and belief, the party in possession of the real property is Andrew Earl Dann Jr. and Barbara B. Dann, and tenants holding under them.

Park Sterling Bank, successor by merger to Citizens South Bank, as successor in interest to Bank of Hiawassee, as Attorney-in-Fact for Andrew Earl Dann Jr. and Barbara B. Dann.

M. Todd Westfall, Esquire Howick, Westfall, McBryan & Kaplan, LLP Suite 600, One Tower Creek 3101 Towercreek Parkway Atlanta, Georgia 30339 (678) 501-7951 T(Mar5.12.19.26)B